no reason to believe, however, that such early prohibitions 582
differed too greatly from those formulated by the Prophet. 834
Specifically, it is forbidden for persons to marry their grandparents, parents, the brothers and sisters of their parents, and their own brothers and sisters. Further, noting that polygyny is permitted, a man is prohibited from [595]
having two sisters as his wives. Only if one sister dies, [587]
is he permitted to wed the survivor. Finally, an infant whose mother cannot feed him is often given to a wet-nurse, 582 608
and this person, no matter what her status (in Rowanduz [853]
she is typically a villager) becomes his "mother." In later life he is under the same restrictions toward her and her kindred as he is toward his own mother, for example, he can never marry her daughter. The townspeople of Rowanduz provided rationalizations for some of these matters, and they are subtended here with little comment. The rule that a man could not be married to two sisters simultaneously was explained by the usage that a husband habitually addressed his parents-in-law as "father" and [601]
"mother," his brother-in-law as "brother," and his sister- [606]
in-law as "sister," although, as will be seen, there are [607]
also separate terms for relatives by marriage. A man cannot take the sister of his wife as a second bride, it was said, because it was as if she were his real "sister," as he called her. In Kurdistan descent is commonly dis- 611
cussed in two ways, through the blood (khwa) of the parents and through the milk (shir) of the mother. Great [853]

Masters E-5 (1951) 1953 MA11 Kurd MA11
Rowanduz

d delegations of guests from all parts of Kurdish Iraq. 585
an a woman, divorced or widowed, is married a second 587
me, the festivities are meager compared with those
scribed above, confined to informal banquets for the two
useholds concerned.

Divorce, like inheritance and betrothal, is a matter 586
f religious and civil law, and the townspeople and the [671]
rds in general, inasmuch as they seem to follow no customs
ich contravene the code, have nothing to do with these
rmulations. For a man, divorce is a simple proceeding
Muslim Iraq, for he need only come into the presence of
e judge or the mulla or priest, with two witnesses, and
bscribe to one of the several formulae, of which the
mplest is saying, in Kurdish, to his wife, tallaqam
dayt (the verb from Arabic tallaqa, "to divorce,"),
divorce you." According to Islamic prescription, a
sband can divorce his wife twice in this fashion and
ch time take her back, but the third recitation is
solutely binding. Only if the woman marries a third [587]
rty and is subsequently divorced by him can she rejoin
r first spouse in another marriage. If a man wishes to
ke the divorce final on the first occasion, he repeats
e formula three times. Of the minor separations, those
the first or second occasions, there are two types.
the first of these the woman asks no compensation, and
e divorce admits of easy reunion. In the second, the
man demands and is paid the mu'akhar, that part of the

al-Qadir al-Jilani. It might be noted that Hajji Mustafa was illiterate, but he loved to thumb through this "book of secrets" in public. 792 212

To illustrate further the character of the darwish, it is useful here to include the autobiography of Hajji Mustafa, which also provides an interesting commentary on life in Rowanduz. The story was recorded in the garden of Shakir Effendi with the latter present to verify some of its episodes. With the exception of the account of the journey to Iran disguised as a Jew, which sounds distinctly anecdotal, Hajji Mustafa's tale seems credible at most points, aside from its exaggerations. Certain lengthy parts of the narrative have been omitted or condensed, and others rearranged with respect to the chronology. 159 792 [124]

My real name is Mustafa Aziz, but my name as a darwish is Khalifa Hajji Mustafa Rowanduzi. I am now about sixty years of age and I have had nine wives in my life, seven Muslims, one Christian, and one Jew. My present wife is a girl of Rowanduz who is twenty years of age. I have five children living, and of them two are boys and three are girls. One of the boys is Aziz who helps in my shop and the other is an infant. [551] [587]

I was born in Rowanduz and the name of my father was 'Abd al-Aziz Hasan 'Uthman, a merchant here. I never went to school, but always played in the streets. The parents of the other children used to complain because I threw stones at the schoolboys and broke their heads. One day my father said to me, "Mustafa, my son, you must have a trade. It is bad that you never do anything except play in the streets and cause trouble." "I have a trade whenever I want it," I told him, "I can command an army." I gathered fifty children of the town and we equipped ourselves with wooden rifles and swords. I divided the army into halves, one under myself and the other under my cousin's son. We fought several battles, and one day there were many casualties. The parents of the children who had [557]

4: Hansen E-5 (1957) 1961 MA11 Kurd MA11

583 sum of money or in cattle, according to the circumstances of the family. Similarly, in a humble village milieu (Topzawa) 200 Din. was paid for a bride from Sulaimani, the bride's father, it was said, retaining one quarter for himself; possibly this was the share kept in hand in the event of divorce or widowhood. The residue, 150 Din., was spent on jewellery and three complete outfits for the bride, on dinner service, mattresses and quilts for the bridal bed, plus a bridal chest. The bridegroom also presented the bride with a battery wireless set. Of gifts in return from the bride's family were mentioned six complete dresses for the bride (but nothing to the bridegroom's family).

[587] It was stated that the bride price for a widow or a divorced woman was less than that for a young girl, which corresponds to what Lane reports about the Egyptian Arabs[134].

In Sulaimani the highest bride price I heard of was 1500 Din., to which must be added the part deposited for payment in the event of the wife being divorced or widowed, which must have been at least about 500 Din. if a third, and 750 Din. if a half of the full bride price. As already mentioned, my interpreter's brother had saved up 500 Din., whereas the paid out part of the bride price given by the brother-in-law for her sister was 400 Din. In the meantime I was told that the girl's family had made it a condition that 1500 Din. be deposited.

As an example of the way the paid up portion of the bride price is expended, it may be of interest to review the purchases made with the sum of 400 Din. above-mentioned. As regards jewellery for the bride, turban chains with precious stones, and agates, plus chin chain with coins for securing the cap - all parts of gold - were ordered from a Sulaimani goldsmith. Compared with a similar set of ornaments I saw worn by the wife of the sheikh of Topzawa, we can assume that this set amounted for at least 100 Din.

583 352 The purchases in Baghdad were: a bedroom suite consisting of a polished wooden double bed with a spring mattress, a double wardrobe, dressing table with oval, adjustable mirror, two night tables, a stool, a large silk-lined, fitted beauty box covered with pink velvet, and a dumb waiter. In addition a spangle-embroidered rose satin bed-spread, material for a silk-embroidered rose quilt, white gauze bed-spread for use in great heat, rose satin curtains, two ornamental cushions sewn over with sequins, a rose satin hot-water wrapper studded with sequins, and rose satin for a pouch in which a copy of the Koran was to be hung[135]. Bales of cotton, plus material for covering pillows, an extra mattress for the double bed and two single mattresses for use on the roof and for sitting on were also bought, as well as bed linen: sheets, eiderdown cover and pillowcases. Other purchases comprised guest room furniture consisting of a sofa, three or four chairs, a larger and a smaller smoker's table, all in steel and green plastic. They there were kitchen and eating utensils, tea glasses, saucepans, wash basin and appurtenant water jug of brass, European knick-knacks, paper flowers to put in china vases, fabric for coats and waistcoats, chiffon, nylon, and tulle interwoven with metal thread for brides; artificial silk with interwoven metal thread or taffeta for the long baggy trousers. Artificial silk and satin for the shift was bought either at Baghdad or Sulaimani and distributed among the home tailors, seamstresses and women at home to be made up.

To sum up, the bride price was expended on the bride's trousseau, household equipment, plus a bedroom suite in European style of the last century, very modern guest room furniture in functionalistic steel - in striking contrast to the furniture in the parental home, where the oldest things were

831 the bride was punished for not having guarded the honour of the family—not by her injured bridegroom, but by men of her own family—she would be taken to be examined by the women gynaecologist to discover whether the bleeding proofs of virginity were due to some physical irregularity. It was stated that the excess of white cotton material that comprised the sexual, detachable, bridal shirt would be kept by the bride's family for a year as proof for the bride's in-laws if any doubt should be raised about the bride's honour. "About a year" seems to about the birth of the first child. After that the bride shirt would be washed and included in the household linen.

585 831 In view of the very definite modesty prevalent among Kurds, and the aversion to any display of nakedness, the lack of modesty when it is a matter of first mating is quite unusually surprising. It is a public affair and most therefore be extremely embarrassing for the young virginal, equally painful must it be for the young man who is expected immediately to consummate the marriage and then, his garments adjusted, to leave the field to the waiting women, who roughly drive the bride's genital opening in order to obtain as clear a trace on the sheet as possible. I heard of no case where a married bride had been killed on her wedding morning.

183 Hay[184] states that with the Kurds the law is very strict as regards the honour of women, but it seems to be the honour of married women that is concerned when he says that "a woman ... who subordinates herself, or, who is suspected on reasonable grounds of subordinating herself, must surely die; and the husband, brother or whoever is responsible for her, who fails to put her out of the way, is considered to have lost his honour, and a Kurd's whole or honour is one of his most precious possessions". From what I was told it is only the young, unmarried girls whose honour is guarded by such drastic measures.

In regard to the bridal shirt custom, Nikitine[185] says that it was falling into desuetude as early as 1925, remarking that it is "à son déclin, une coutume condamnée à mettre fin à la fois aux nouveaux mariés au Sujet blanc ("pyjable"), qu'on nomme ensuite une guenille de la jeune femme, comme preuve de sa virginité".

585 831 191 The use of the bridal shirt with the levirate Law is mentioned by Fellowy[186]. That the Arabs kill a young woman who does not pass the test, and that this is done by her own male relatives, is referred to by Dickson[187], though he adds that he has heard of one case where "... the man being shrewd enough to smuggle into the bridal chamber a fresh piece of meat with blood on it, with which to soil the bed linen ...". To this can be put Thomson's information about the Arabs as long ago as 1785, that it is evident that the unfortunate bride suffers, "down she whom Khosi"[188].

---

595 Polygamy and divorce. According to the Coran, provided a man's economic position allows it he may have up to four wives at a time[189], but is obliged to treat them alike and spend an equal amount of time, day and night, with each of them[190].

586 587 The husband has sole right to an immediate dissolution of the marriage by pronouncing public "I repudiate thee" or, better: "I abandon all right over thee". Until the expiration of the "idda period"[191] the wife cannot contract a new marriage, and during this term she is entitled to maintenance[192]. By going a man can twice divorce himself from his wife but, should he repeat his act, one without further

4: Hansen E-5 (1957) 1961 MA11 Kurd MA11

ceremony make her his wife again within the above-mentioned period[583]. Should he have pronounced *talāq* three times or have stated it thrice on the first occasion, the wife must contract a pro forma marriage with another man and must be renounced by this "straw husband" before the husband can take her back[584]. The Coran forbids the promise of abstinence, or if you will, a semi-divorce within marriage, that is to say, that the husband declares: "Let thy back be to me as my mother's", known as *zihār* (*zahr* = back)[585]. In this case the wife will not obtain the right to return to her family home with everything she brought into the marriage, plus what she may herself have earned and that part of the bride price (usually one third) that has been put aside for such a contingency, and with a view to facilitating a new marriage.

On her side the wife has the following possibilities of securing the dissolution of the marriage: The marriage contract can contain a clause to the effect that neglect on the part of the husband gives the wife the right to regard the marriage as dissolved, by repaying the bride price, if she can prove before a judge that the man does not fulfil his obligations in regard to maintaining her in accordance with her station; in cases of certain illnesses or if it should transpire that he is of poorer birth than stated.

On contracting marriage the husband undertakes to provide for the wife; she in return engages to present him with children, which means that the children born belong to the man's home. If the marriage is dissolved whilst the children are small, the wife takes with her male children under two years of age[586], girls under nine (or up to puberty), whereafter they return to the husband's home. On marriage, therefore, the woman runs the risk of being renounced (attempts being made to reduce this by the fixing of a high bride price, and particularly by making as high as possible that part of it set aside for possible later payment); she also runs the risk of sharing the man with another wife or more. The husband runs a risk that the wife the women of his family have selected for him, whom in most cases he has never seen, is impossible to live with. To meet this contingency he has the immediate right to divorce her and also the right to take other wives.

Having briefly recounted the ordinary rules of Islam within the *shāfi'i* rite to which the Kurds belong, I shall now attempt to recount what I experienced during my relatively short stay in Southern Kurdistan in order to throw light on matters concerning divorce and polygamy. I take these two phenomena together for, as will appear below, they are interwoven, and the one is often the reason for the other.

At the time I was able to study the conditions, there was in each of the three or four houses of the village aristocracy that constitute my material for comparison, only one wife. This happened to be so in the case of the sheikh families in Topzawa, Bargalu, Shadala and Serkan. Soane[587] states that the Kurds from north to south are monogamous, an assertion repeated by his wife[588]. This does not quite accord with my experience. In Topzawa the current wife had five children aged 18, 17, 13, 8 and 6. In the home there was also a step-daughter of 12. As illegitimate children are unknown in the Kurdish pattern of life, the sheikh, within a period lying between 1938 and 1943, has had two wives for a shorter or longer period, and the one who only presented him with one child was sent home to her parents.

The sister of the present one, about 35 years of age, was married to an old sheikh in Shadala. There appears have to have been a succession of marriages. Several groups of married sons with wives and

595 595 children living in the home showed that there must have been other wives. The sheikh himself stated that in his long life he had been married nineteen times! This can be compared with a statement by Hay[595] about "Old Ibrahim, Agha of the Dizaiy", who, 50 years old, had had nineteen wives. So far as I could discover the position was the same as that reported by Lorr[595]: "Hence it often happens that, when a man who has already one wife wishes to marry another girl or woman, the father of the latter, or the female herself who is sought in marriage, will not consent to the union unless the first wife be previously divorced". But even if the man divorces his current wife in accordance to the wishes of his new wife or her family, the children remain in the paternal home, which, when they marry, the sons extend to a joint family household.

587 595 Two half-grown 13-14 year old step-daughters with the sheikh of Sargala marked the existence of an earlier marriage, as did the presence at home of three married sons of the sheikh in Serkan. Of this family it was said that not only the sheikh but also his wife had been married before, she being the widow of his brother—thus a case of levirate marriage. Among the village aristocracy I thus was able to determine divorce, succession of marriage, and children of former marriages remaining in the home, but in this milieu I did not meet several wives simultaneously in the home.

595 369 In the humble village milieu it seemed that monogamy was the more usual, probably for economic reasons. On the other hand I met here two cases of women who, taking with them their small children—a boy of 2 and a girl of 4 in Tegnawa, and a male baby and girl of 3, both of whom later died, in Serkan—had left their husbands who had failed in their obligations to regard to maintaining them. They had been taken on as domestic help[369] at the sheikh's homes in Tegnawa and Serkan. That the women had not returned to their families. A repudiated wife with a baby or babies is in the nomadic village milieu in Balkha was said to live with and be supported by her family.

595 In the educated urban milieu I met a newly-married teacher couple (seen each other before marriage), and a teacher couple with two children (never seen each other before marriage). The latter was monogamous, as was the case with the former, and a very high sum was stated to be put aside for the young woman in the event of divorce (or widowhood).

595 595 There remain conditions to what is called the modernized urban milieu or, if one prefers it, the old-fashioned urban milieu which still retains its original structure devoid of Western influences. The milieu of this kind that I learned to know possessed a good economic basis and was represented by small traders in Sulaimani and Kirkuk, who acted as agents for Baghdad firms dealing in electrical articles, bicycles and spare parts for automobiles. From the point of view of trade they represented the new times, but the structure of their homes evinced the old. Here I met polygamy functioning and could observe its effects on daily life, in the arrangement of the home, the distribution of the man's interest in regard to the wives, relations with the other's children, and the distribution of work within the women's world of the home. There were only two wives. One thing is the permission given by the Koran to possess up to four wives simultaneously, another thing is practice—which presupposes—when these four are augmented by female slaves, also permitted by the Koran—both individual wealth and unlimited room, and was consequently very definitely an upper class phenomenon, reserved to

[illegible] sufficient to ensure an harmonious life together, particularly because the earliest guidance given or law appointed the couple during the day. The young woman was then faced with domestic duty was able to fulfil, highly-valued fatherhood, with a prospect of a gain of greater sympathy as love was itself increased herself and her mate. She was but little subjected to comparisons with other women, for in the outside life the husband never met them, the wives of his friends he never saw. In the home he met only those with whom marriage was out of the question. The threats to her marriage were then not the chances that in the place of work or in society her husband met and fell in love with another woman, but were far more logically justified. If life together proved impossible, both husband and wife could secure the dissolution of the marriage (see p. 123). Should she bear no children, or no male [illegible] was justified. This might mean that the family of the wife who stipulated that the first wife should be maintained, or that the two women could not tolerate daily life together. By the stipulation of a large sum to be set aside for the contingency of divorce, the wife's family secured the bride beforehand or subsequently an even favourable position.

The man, on the other hand, gave everything he owned at the time, perhaps received by his family, for a woman who was certainly to the taste of his female relatives, but not necessarily to his. Should he not like the bride after the marriage had taken place, he had in the first place invested a lot of money in this disappointment, and secondly had to maintain his new opinion the censure of his family, who had selected her. A new wife of the four mentioned in the Quran, depending upon each's economic circumstances, was entitled to the same marriage luxury.

From the moment a man passed from the unmarried state, he was for the rest of his life the head of a family. As the bride price was paid when marriage was contracted, the husband had not only the right but also the duty to keep the children[1] in the event of divorce. Quite small children, i.e. true, stayed with the mother until they had reached a certain age, but then returned to the father. In the event of a Arab marriage a man then had no chance of having his children. The new wife, or wives, who entered his home took over the work of looking after the brood of children that might already be there. This provided the children with a stable home and childhood, something that is not always the case in the West. The essential factors in the home were then, theoretically, the father and the children, whilst the mother was the fluctuating point. This gave father, mother and children a mutual status quite different from the position of these three home elements in our culture.

Considerable attention has been paid to the difficulties that could arise between women where one more of the four wives mentioned by religion was acquired. Little attention has been paid, on the other hand, to the difficulties facing the new wife when the home she entered had adolescent or adult children. Her two most considerable fears grew to the possibility that the stationary children, whose [illegible] she had to marry off, may intervene in favour of their mother after she had been ostracized by the father. My interpreter's mother, for example, was repudiated and sent back to her family, leaving behind her three children aged about 6, 7 and 8 (see p. 123). When these children reached the age of discretion, they demanded the return of their mother, and the father was forced to give way.

tion of the Kurdish lineage organization we shall return to a more 581
complete discussion of these interrelations (pp. 49 ff).

Plural wives are rather uncommon in the villages, though they are 587 •
thought to be a quite desirable investment for the men who can [595]
afford it. The average incidence for 34 men in 4 villages runs c. 4 %.
The levirate is not infrequently practised, but more as a convenience
than as an established rule or right. Unless the widow has a well
established father or brother, she tends to remain in the house of
her late husband under the protection of her brother-in-law, in
which case he might as well have some return for his expenses. Strict
observance of the Islamic rule of unlawful conjunction however
prevents him from doing this if his first wife is a close relative of
the widow (and where cousin marriage is common, this will be a
fairly frequent limitation). The sororate is not known as a marriage
practice.

KINSHIP.

593

A patrilineal system of rights and privileges organizes the house-
hold group. Following Islamic ideals, the adult male has complete
control, and can make any decisions as to the [illegible]
seems slightly to exceed Kurdish popular feeling on the matter. It
is very difficult to obtain any impression of the internal workings of
a Moslem family, but one has the feeling that Kurdish women have
considerable influence in the close family circle. Occasionally this
even carries outside the kinship group, so a woman may come to
occupy a high political position. Similarly, the father's absolute
authority is strongly questioned by the sons, as indicated by the
frequency of combined residence. There are almost invariable tensions
connected with the setting up of an independent household for a
married son — the father tends to resist this reduction of his power,
and for the son it is taken as the mark of breaking free and becoming
fully adult. However, with moral sanctions and de-facto power
supporting him, the father certainly occupies the central position as
authority and organizer of the group.

In the case of a widow with one or several sons, the household is
named after the major son, and the actual position of authority